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DATE: February 10, 2004	OFFICI
PTO IDENTIFIER: Application Number 09/777317-Conf. #3698 Patent Number Inventor: Hermann Bujard et al.	
MESSAGE TO: US Patent and Trademark Office	
FAX NUMBER: (703) 872-9306	
FROM: LAHIVE & COCKFIELD, LLP	
DeAnn F. Smith  PHONE: (617) 227-7400	*
Attorney Dkt. #: BBI-013C3CN3	
PAGES (Including Cover Sheet): 6	
CONTENTS: Certificate of Transmission under 37 CFR 1.8 (1 page); Transmittal (1 page); Petinon to Correct Inventorship Pursuant to 37 C.F R. 1.48(b) (1 page); and Fee Transmittal (1 page - in duplicate); Charge \$130.00 to deposit account 12-0080.	
If your receipt of this transmission is in error, please notify this firm imm collect call to sender at (617) 227-7400 and send the original transmission mail at the address below.	ediately by n to us by return
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LAHIVE & COCKFIELD, LLP 28 State Street, Boston, Massachusetts 02109 Telephone: (617) 227-7400 Facsimile: (617) 742-4214	
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PTC/SB/97 (12-97)
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# Certificate of Transmission Under 37 CFR 1.8

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February 10, 2004 Date DeAnn F. Smith Typed or printed name of person signing Certificate

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Certificate of Transmission under 37 CFR 1.8 (1 page); Transmittal (1 page);

Petition to Correct Inventorship Pursuant to 37 C F.R. 1.48(b) (1 page);

and

Note:

Fee Transmittal (1 page - in duplicate), Charge \$130.00 to deposit account 12-0080.

PTC/SB/21 (08-03)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no. persons are required to respond to a collection of information unless it displays a valid DMB control number. Application Number 09/777317-Conf. #3698 Filing Date TRANSMITTAL February 5, 2001 First Named Inventor **FORM** Hermann Bujard Art Und 1632 (to be used for all correspondence after initial filing) Examiner Name R. Shukia Attorney Docket Number **BBI-013C3CN3** Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication X Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board of Fee Attached icensing-related Papers Appeals and Interference Appeal Communication to Group Amendment/Reply x Potition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application er of Attorney Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request Terminal Disclaimer identify below) Express Apandonment Request Request for Refund CD, Number of CD(s) Information Disclosure Statement Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT LAHIVE & COCKFIELD, LLP Fim DeAnn E. Smith - 38,683 Individual name Signature Date February 10, 2004

Signature

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(DeAnn F. Smrth)

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9306, on the date shown below. Dated February 10, 2004

### RECEIVED CENTRAL FAX CENTER

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 1 0 2004

In re the application of: Hermann Bujard et al.

Serial No.: 09/777,317 Filed: February 5, 2001

Tetracycline-Regulated Transcriptional Activation For:

Fusion Proteins

Attorney Docket No.: BBI-013C3CN3

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Group Art Unit: Examiner: R. Shukla

#### PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(b)

In accordance with 37 C.F.R. 1 48(b), Applicant hereby amends inventorship of the abovementioned application to remove Jochen G Salfeld and Jeffrey W. Voss as inventors. Upon the cancellation of claims to a non-elected invention (claims 1-17 contained in non-elected Groups I and II of the Restriction Requirement mailed on October 3, 2002 (Paper No. 8)), the inventorship is amended in compliance with 37 C.F.R. 1 48(b) as inventors Jochen G. Salfeld and Jeffrey W. Voss are not inventors of at least one claim remaining in the application Accordingly, Applicant respectfully requests that inventors Jochen G. Salfeld and Jeffrey W Voss be removed from the above-identified application.

Please charge our Deposit Account No. 12-0080 in the amount of 130 00 under 37 C.F.R. 1.17(1). Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080.

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Deann F. Smith, Esq. Reg. No. 36,683

February 10, 2004

Date

Respectfully submitted.

DeAnn F. Smith, Esq. Registration No. 36,683 Attorney for Applicants

LAHIVE & COCKFIELD, LLP 28 State Street Boston, MA 02109

Tel. (617) 227-7400

Dated February 10, 2004

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Name (Pran/Type) De/Ann R. Smith	(Anom	op/Agent)	130	.683		7) 227-7400		
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PTO/SB/17 (10-03)
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Name (Pmi/Type) DeAnn R. Smith	Registral		36	683	Terephone (617) 227-7400	
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